



Entergy Operations, Inc.
Entergy Nuclear Operations, Inc.
1340 Echelon Parkway
Jackson, MS 39213

Ron Gaston
Director,
Nuclear Licensing

10 CFR 2.202

CNRO-2019-00030

December 30, 2019

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K
2019 Summary

Arkansas Nuclear One, Units 1 & 2
Docket Nos. 50-313 & 50-368
License Nos. DPR-51 & NPF-6

Indian Point Energy Center, Units 2 & 3
Docket Nos. 50- 247 & 50-286
License Nos. DPR- 26 & DPR-64

Grand Gulf Nuclear Station, Unit 1
Docket No. 50-416
License No. NPF-29

Palisades Nuclear Plant
Docket 50-255
License No. DPR-20

River Bend Station, Unit 1
Docket No. 50-458
License No. NPF-47

Pilgrim Nuclear Power Station
Docket No. 50-293
License No. DPR-35

Waterford 3 Steam Electric Station
Docket No. 50-382
License No. NPF-38

- References:
- 1) U.S. Nuclear Regulatory Commission (NRC) letter to Entergy (Entergy Nuclear Operations, Inc. and Entergy Operations, Inc.), "Confirmatory Order, NRC Inspection Report 05000416/2017014, and NRC Investigation Reports 4-2016-004 and 4-2017-021," dated March 12, 2018 (ACCESSION No.: ML18072A191)
 - 2) Entergy Nuclear Operations, Inc. and Entergy Operations, Inc. letter to the NRC, "Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element J," CNRO-2018-00039, dated September 27, 2018 (ACCESSION No.: ML18270A430)
 - 3) Entergy Nuclear Operations, Inc. and Entergy Operations, Inc. letter to the NRC, "Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K," CNRO-2018-00051, dated December 28, 2018 (ACCESSION No.: ML18362A251)

- 4) U.S. Nuclear Regulatory Commission letter to Holtec Decommissioning International, LLC, "Pilgrim Nuclear Power Station – Issuance of Amendment No. 249 Re: Order Approving direct Transfer of Renewed Facility Operating License and Independent Spent Fuel Storage Installation General License and Conforming Amendment (EPID L-2018-LLO-0003), dated August 27, 2019 (ACCESSION No.: ML19235A050)

Confirmatory Order EA-17-132/EA-17-153 (Reference 1) modified the above operating licenses to include specific elements to address willful violations. As required by Section V, Element K, the attachment provides, in writing to the appropriate Regional Administrators, a summary of the actions implemented across the fleet as a result of this Confirmatory Order and the results of any effectiveness reviews performed for the calendar year 2019.

Should you have any questions or require additional information, please contact John Giddens, Senior Manager, Fleet Regulatory Assurance, at (601) 368-5756.

I declare under penalty of perjury, the foregoing is true and correct.

Executed on the 30th day of December, 2019.

Respectfully,

A handwritten signature in black ink, appearing to read "Ron Gaston", with a long horizontal flourish extending to the right.

Ron Gaston
Director, Nuclear Licensing

RWG/jjn/jas

Attachments:

Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K

cc: John Dinelli (ANO)
Tim Arnold (ANO)
Eric Larson (GGN)
Jim Shaw (GGN)
Darrell Corbin (PLP)
Jeff Hardy (PLP)
Peter Minor PNP)
John Moylan (PNP)
Anthony Vitale (IP)
Mahvash Mirzai (IP)
Steve Vercelli (RBS)
Timothy Schenk (RBS)
Sergio Vazquez (WF3)
Paul Wood (WF3)

NRC Region I Administrator
NRC Project Manager (Pilgrim)
NRC Senior Resident Inspector (Pilgrim)
NRC Project Manager (Indian Point)
NRC Senior Resident Inspector (Indian Point)

NRC Region III Administrator
NRC Project Manager (Palisades)
NRC Senior Resident Inspector (Palisades)

NRC Region IV Administrator
NRC Project Manager (Arkansas Nuclear One)
NRC Senior Resident Inspector (Arkansas Nuclear One)
NRC Project Manager (Grand Gulf)
NRC Senior Resident Inspector (Grand Gulf)
NRC Project Manager (River Bend)
NRC Senior Resident Inspector (River Bend)
NRC Project Manager (Waterford)
NRC Senior Resident Inspector (Waterford)

ATTACHMENT TO CNRO-2019-00030

Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K

Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K

The Nuclear Regulatory Commission (NRC) issued Confirmatory Order EA-17-132/EA-17-153 to Entergy (Entergy Nuclear Operations, Inc., and Entergy Operations, Inc.) as a result of a successful alternate dispute resolution. Section V of the Confirmatory Order modified Entergy License Nos. DRP-51, NPF-6, NPF-29, DPR-26, DPR-64, DPR-20, DPR-35, NPF-47 and NPF-38 to include Elements A through L. This attachment responds to Section V, Element K for License Nos. DRP-51, NPF-6, NPF-29, DPR-26, DPR-64, DPR-20, NPF-47 and NPF-38 for calendar year 2019. This attachment responds for DPR-35 through August of 2019 based on the license transfer detailed in Reference 4.

Notifications to the NRC when Actions Are Completed, Element K

By December 31 of each calendar year from 2018 through 2020, Entergy will provide in writing to the appropriate Regional Administrators a summary of the actions implemented across the fleet as a result of this Confirmatory Order and the results of any effectiveness reviews performed.

Entergy Response, Element K

The following is a summary of the actions implemented across the fleet as a result of this Confirmatory Order.

Communications with Site Workers, Element B

Between March 6, 2019 and April 10, 2019, Entergy conducted the second semi-annual communications with workers in the Entergy fleet reemphasizing its intolerance of willful misconduct and updating the workforce on the status of compliance with this Confirmatory Order. Entergy required recipients to confirm receipt of the communication and received such acknowledgement from 96% of the target population.

Between September 10, 2019 and October 12, 2019, Entergy conducted the third semi-annual communications with workers in the Entergy fleet reemphasizing its intolerance of willful misconduct and updating the workforce on the status of compliance with this Confirmatory Order. Entergy required recipients to confirm receipt of the communication and received such acknowledgement from 97% of the target population.

To address the Element B requirement for annual training that was due to start in 2020, Entergy created and assigned a computer-based training (CBT) module. As of December 2019, more than 96% of the target population has completed the CBT.

In addition, Entergy conducted a survey to assess penetration of the Integrity Confirmatory Order communications and to support effectiveness reviews. The survey found the communications effective based on the high rates at which the survey respondents recalled the key points of the communications.

Causal Evaluation of Previous Corrective Actions to Deter Willful Violations, Elements C and D

Element C - Between June 13, 2016 and August 28, 2018, Entergy performed five station root cause evaluations (RCEs) and two fleet level RCEs to accomplish the objectives set forth in the Confirmatory Order. This was previously communicated to the NRC via letter from Entergy Nuclear Operations, Inc. and Entergy Operations, Inc., "Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element J," dated September 27, 2018 (Reference 2).

The two fleet causal analyses were revised in 2019 based on observations from an NRC Inspection performed in January 2019 and the results of Effectiveness Reviews.

Element D – Entergy established The Criteria for Annual Effectiveness Reviews and conducted two Effectiveness Reviews for the Confirmatory Order.

- 1) An interim Confirmatory Order Effectiveness Review in May of 2019 found:
 - a. Communications were effective, based on acknowledgment by 96% of the target audience and follow up survey data;
 - b. Trust but Verify Audits were ineffective, based on inconsistent implementation of the audit steps, incomplete treatment of anomalies, and a lack of documentation to establish that results were clearly communicated to plant personnel; and
 - c. Confidential Corrective Action Program (CAP) use was effective, based on assignment of CAP investigations for identified willful misconduct.

The ineffective Trust but Verify Audits were corrected by conducting a 100% review of the audits and collecting support documentation to ensure consistency and adequacy of audits and related communications. In addition an oversight procedure was created to ensure correct implementation, documentation and communications of audits.

- 2) The 2019 Annual Confirmatory Order Effectiveness Review in December of 2019 found:
 - a. Communications were effective, based on acknowledgment by 97% of the target audience and survey results reflecting an understanding of the material presented;
 - b. Trust but Verify Audits were effective, based on 100% review of 2nd and 3rd quarter audits ensuring correct documentation and adequate communications; and
 - c. Confidential CAP use was deemed ineffective based on the back log of confidential investigations that had not yet been evaluated in CAP, inconsistent application of the Confidential CAP process, and related improvements to the Confidential CAP program not yet fully implemented.

Changes were made to the Confidential CAP committee oversight and CAP screening processes to address the backlog of Confidential CAP condition reports. The root cause evaluation associated with this action was revised accordingly to incorporate CAP process changes. The ineffective Confidential CAP use will be re-evaluated, in two 2020 Effectiveness Reviews, after implementation of the revised the CAP process.

There were seven Effectiveness Reviews conducted for the root causes associated with the Confirmatory order.

- 1) An Effectiveness Review for the root cause on the Grand Gulf Proctoring violation completed in May 2019 found the Corrective Action to Preclude Recurrence (CAPR) effective based on:
 - a. Procedure was implemented;
 - b. Two Assessments were completed;
 - c. Any anomalies in test time/duration are identified; and
 - d. Any un-justified anomalies have corresponding Condition Reports (CR)s.
- 2) An Effectiveness Review for the root cause on Grand Gulf Operator violations completed in October 2019 found the CAPR effective based on:
 - a. Procedure was implemented;
 - b. Audit Documentation was adequate; and
 - c. No repeat instances of Non-Licensed Operator (NLO) willful misconduct.
- 3) An Effectiveness Review for the root cause on River Bend Operator violations completed in October 2019 found the CAPR effective based on:
 - a. Procedure was implemented;
 - b. Audit Documentation was adequate; and
 - c. No repeat instances of NLO willful misconduct.
- 4) An Effectiveness Review for the root cause on Waterford Operator violations completed in August 2019 found the CAPR effective based on:
 - a. Procedure was implemented;
 - b. Audit Documentation was adequate; and
 - c. No repeat instances of NLO willful misconduct.
- 5) An Effectiveness Review for the fleet root cause on why fleet-wide corrective actions from NRC Confirmatory Orders since 2009 have not been effective in preventing or minimizing instances of willful misconduct across the fleet, completed in August 2019, found the CAPR ineffective because:
 - a. There was a backlog of investigations for willful misconduct events;
 - b. Willful misconduct CRs were inconsistently screened per EN-LI-102; "Corrective Action Program,"
 - c. Some Extent of Condition and Extent of Cause actions were not assigned; and
 - d. Some Extent of Condition and Extent of Cause actions were not completed with quality.

To address this ineffective CAPR, actions were specified to ensure:

- a. The completed confidential investigations were assessed and CRs written to conduct evaluations as needed; and
- b. The Root Cause CAPRs were revised, and changes made to align the Effectiveness Review accordingly.

- 6) An Effectiveness Review completed in October 2019, for the fleet root cause addressing why, from 2015-2017, there have been multiple instances in which site personnel violated integrity standards found Operations audits were ineffective based on:
 - a. EN-OP-117, "Operations Assessment Resources" requirements to communicate to NLOs were not consistently implemented; and
 - b. Anomalies were not adequately explained or evaluated.

This was corrected by collecting and evaluating documentation for the communications and anomaly evaluations. Additionally, the Root Cause was revised to add another effectiveness review in 2020.

- 7) An Effectiveness Review completed in October 2019, for the fleet root cause addressing why, from 2015-2017, there have been multiple instances in which site personnel violated integrity standards found Training audits effective based on the revision and implementation of the procedure as intended. However, the effectiveness review was rated indeterminate based on a recurrence of proctor misconduct occurring after the effectiveness review period was identified.

This was corrected by conducting a confidential investigation and cause evaluation associated with the proctor misconduct and a revision to the Root Cause to add a follow-on effectiveness review in 2020.

Organizational Health Survey, Elements H and I

Entergy conducted the 2018 Organizational Health Index (OHI) Survey in July 2018. This survey was developed by a third party and designed, in part, to identify safety culture concerns that could contribute to willful misconduct. The results were received on August 3, 2018 and showed an overall improvement from 2017. Additional analysis was completed in January 2019.

Entergy conducted the 2019 Organizational Health Index (OHI) Survey in July 2019. This survey was developed by a third party and designed, in part, to identify safety culture concerns that could contribute to willful misconduct. The results were released in September 2019. Additional analysis is in progress.

Notifications to the NRC When Actions Are Completed, Element K

Entergy Nuclear Operations, Inc. and Entergy Operations, Inc. letter to the NRC, "Entergy Response to Confirmatory Order EA-17-132/EA-17-153, Element K," CNRO-2018-00030, dated December 30, 2019.

Other Actions

A Self-Assessment on Confirmatory Order compliance was completed in November of 2019. The Self-Assessment found the Confirmatory Order action implementation acceptable. The Self-Assessment also assessed the actions specified by the root causes performed for the

Confirmatory Order. The Self-Assessment identified Standards Performance Deficiencies (SPD)s in the implementation of the integrity audits and confidential corrective action process, based in a large part on the effectiveness review results described above. The SPDs are addressed by the action plans for the effectiveness reviews.